

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SANDRA LEE HOBBY
a.k.a. SANDRA LEE HULBERT
a.k.a. SANDRA LEE GORDON
a.k.a. SANDRA LEE ANDEKIN
a.k.a. SANDRA LEE GREEN
82249 Fourth Street
Trona, CA 93562

Case No. 2011-894

Registered Nurse License No. **669291**

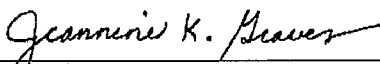
Respondent

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **June 2, 2011.**

IT IS SO ORDERED **June 2, 2011.**



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 LINDA L. SUN
Deputy Attorney General
4 State Bar No. 207108
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-6375
6 Facsimile: (213) 897-2804
Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2011-894

11
12 **SANDRA LEE HOBBY, AKA**
SANDRA LEE HULBERT, AKA
13 **SANDRA LEE GORDON, AKA**
SANDRA LEE ANDEKIN, AKA
14 **SANDRA LEE GREEN**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 **82249 Fourth Street**
Trona, CA 93562
16 **Registered Nurse License No. 669291**

17 Respondent.

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
20 proceeding that the following matters are true:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
23 Registered Nursing (Board). She brought this action solely in her official capacity and is
24 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
25 Linda L. Sun, Deputy Attorney General.

26 2. Sandra Lee Hobby, aka Sandra Lee Hulbert, aka Sandra Lee Gordon, aka Sandra Lee
27 Andekin, aka Sandra Lee Green (Respondent) is representing herself in this proceeding and has
28 chosen not to exercise her right to be represented by counsel.

1 3. On or about November 16, 2005, the Board issued Registered Nurse License Number
2 669291 to Respondent. The Registered Nurse License was in full force and effect at all times
3 relevant to the charges brought herein and will expire on August 31, 2011, unless renewed.

4 **JURISDICTION**

5 4. Accusation No. 2011-894 was filed before the Board and is currently pending against
6 Respondent. The Accusation and all other statutorily required documents were properly served
7 on Respondent on May 3, 2011. Respondent timely filed her Notice of Defense contesting the
8 Accusation. A copy of Accusation No. 2011-894 is attached as Exhibit A and incorporated by
9 reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, and understands the charges and allegations in
12 Accusation No. 2011-894. Respondent also has carefully read, and understands the effects of this
13 Stipulated Surrender of License and Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
16 her own expense; the right to confront and cross-examine the witnesses against her; the right to
17 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
18 compel the attendance of witnesses and the production of documents; the right to reconsideration
19 and court review of an adverse decision; and all other rights accorded by the California
20 Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 **CULPABILITY**

24 8. Respondent admits the truth of each and every charge and allegation in Accusation
25 No. 2011-894 agrees that cause exists for discipline and hereby surrenders her Registered Nurse
26 License No. 669291 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation she enables the Board to issue
28 an order accepting the surrender of her Registered Nurse License without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 669291, issued to Respondent Sandra Lee Hobby, aka Sandra Lee Hulbert, aka Sandra Lee Gordon, aka Sandra Lee Andekin, aka Sandra Lee Green is surrendered and accepted by the Board of Registered Nursing.

14. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent.

1 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
2 license history with the Board.

3 15. Respondent shall lose all rights and privileges as a registered nurse in California as of
4 the effective date of the Board's Decision and Order.

5 16. Respondent shall cause to be delivered to the Board her pocket license and, if one was
6 issued, her wall certificate on or before the effective date of the Decision and Order.

7 17. If Respondent ever files an application for licensure or a petition for reinstatement in
8 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
9 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
10 effect at the time the petition is filed, and all of the charges and allegations contained in
11 Accusation No. 2011-894 shall be deemed to be true, correct and admitted by Respondent when
12 the Board determines whether to grant or deny the petition.

13 18. If and when Respondent's license is reinstated, she shall pay to the Board costs
14 associated with its investigation and enforcement pursuant to Business and Professions Code
15 section 125.3 in the amount of \$6,088.78. Respondent shall be permitted to pay these costs in a
16 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the
17 Board from reducing the amount of cost recovery upon reinstatement of the license.

18 19. Respondent shall not apply for licensure or petition for reinstatement for two (2)
19 years from the effective date of the Board of Registered Nursing's Decision and Order.

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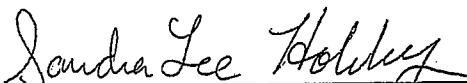
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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED:

5-16-11



SANDRA LEE HOBBY, AKA SANDRA LEE
HULBERT, SANDRA LEE GORDON, AKA
SANDRA LEE ANDEKIN, AKA SANDRA LEE
GREEN
Respondent

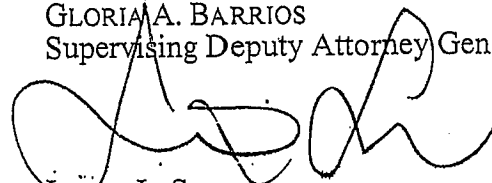
ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: May ²⁴8, 2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney General



LINDA L. SUN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2011-894

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 LINDA L. SUN
Deputy Attorney General
4 State Bar No. 207108
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-6375
6 Facsimile: (213) 897-2804
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. *2011-894*

11 **SANDRA LEE HOBBY, AKA**
12 **SANDRA LEE HULBERT, AKA**
13 **SANDRA LEE GORDON, AKA**
14 **SANDRA LEE ANDEKIN, AKA**
SANDRA LEE GREEN

A C C U S A T I O N

15 **5348 Autumn Way**
16 **Ridgecrest, CA 93555**
Registered Nurse License No. 669291

17 Respondent.

18
19
20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
23 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
24 Department of Consumer Affairs.

25 2. On or about November 16, 2005, the Board issued Registered Nurse License Number
26 669291 to Sandra Lee Hobby, aka Sandra Lee Hulbert, aka Sandra Lee Gordon, aka Sandra Lee
27 Andekin, aka Sandra Lee Green (Respondent). The Registered Nurse License was in full force
28

1 and effect at all times relevant to the charges brought herein and will expire on August 31, 2011,
2 unless renewed.

3 JURISDICTION

4 3. This Accusation is brought before the Board under the authority of the following
5 laws. All section references are to the Business and Professions Code (Code) unless otherwise
6 indicated.

7 STATUTORY PROVISIONS

8 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline
9 any licensee, including a licensee holding a temporary or an inactive license, for any reason
10 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

11 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
12 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
13 licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the
14 Code, the Board may renew an expired license at any time within eight years after the expiration.

15 6. Section 2761 of the Code states:

16 "The board may take disciplinary action against a certified or licensed nurse or deny an
17 application for a certificate or license for any of the following:

18 "(a) Unprofessional conduct, . . ."

19 7. Section 726 of the Code states:

20 "The commission of any act of sexual abuse, misconduct, or relations with a patient, client,
21 or customer constitutes unprofessional conduct and grounds for disciplinary action for any person
22 licensed under this division, under any initiative act referred to in this division and under Chapter
23 17 (commencing with Section 9000) of Division 3.

24 "This section shall not apply to sexual contact between a physician and surgeon and his or
25 her spouse or person in an equivalent domestic relationship when that physician and surgeon
26 provides medical treatment, other than psychotherapeutic treatment, to his or her spouse or person
27 in an equivalent domestic relationship."

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1 **COSTS RECOVERY PROVISION**

2 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Sexual Abuse, Misconduct or Relations with Patients, Clients or Customers)**

8 9. Respondent is subject to disciplinary action under Code section 726 in that
9 Respondent committed acts of sexual abuse, misconduct, or relations with patients, clients, or
10 customers. The circumstances are as follows:

11 **Patient J.H.**

12 10. From about May 2007 to November 2008, Respondent was employed as a registered
13 nurse/facility administrator at DaVita, Inc. in Ridgecrest, CA, also known as Indian Wells Valley
14 Dialysis Center (DaVita). During this time, while providing weekly dialysis treatment for Patient
15 J.H., Respondent engaged in a romantic relationship with Patient J.H. who had terminal
16 polycystic kidney disease. On or about July 20, 2008, Patient J.H. left his wife of 29 years and
17 moved in with Respondent. From about September 10, 2008 to November 10, 2008, Respondent
18 changed her role to that of a therapy partner/caretaker for Patient J.H.'s home dialysis services.
19 Respondent resigned from DaVita on or about November 24, 2009. Respondent and Patient J.H.
20 were married in or about May 2010.

21 **Patient R.H.**

22 11. From about August 2006 to July 2008, while employed through Sanderson's Home
23 Health Agency, Respondent was the primary assigned nurse who provided daily in-home nursing
24 services to Patient R.H., a paraplegic. During this time, Respondent engaged in a romantic
25 relationship with Patient R.H. while she was still married. In or about January 2008, Respondent
26 moved in with Patient R.H. They were married on or about April 19, 2008 and separated on or
27 about July 11, 2008. Their divorce was final on or about March 18, 2009.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 12. Respondent is subject to disciplinary action under Code section 2761, subdivision (a)
4 for unprofessional conduct in that from about August 2006 to about November 2008, Respondent
5 had inappropriate relationships with Patient J.H. and Patient R.H. while assigned as their
6 registered nurse. Complainant refers to and incorporates all the allegations contained in
7 paragraphs 10 - 11, as though set forth fully.

8 PRAYER

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
10 and that following the hearing, the Board of Registered Nursing issue a decision:

11 1. Revoking or suspending Registered Nurse License Number 669291, issued to Sandra
12 Lee Hobby, aka Sandra Lee Hulbert, aka Sandra Lee Gordon, aka Sandra Lee Andekin, aka
13 Sandra Lee Green;

14 2. Ordering Sandra Lee Hobby to pay the Board of Registered Nursing the reasonable
15 costs of the investigation and enforcement of this case, pursuant to Business and Professions
16 Code section 125.3;

17 3. Taking such other and further action as deemed necessary and proper.
18
19

20 DATED: 5/31/2011

Louise R. Bailey
21 LOUISE R. BAILEY, M.ED., RN
22 Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant

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